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VIA ELECTRONIC CASE FILING

FILE NO: 68026.6

Hon. Steven I. Locke, U.S.M.J.
United States District Court
for the Eastern District of New York
100 Federal Plaza
Central Islip, NY 11722

Re: *Capricorn Management Systems, Inc. v. GEICO*
Case no. 15-cv-02926-DRH-SIL (E.D.N.Y.)

Your Honor,

This firm represents defendant Government Employees Insurance Co. (“GEICO”) in the above-identified action. We write on behalf of both GEICO and Auto Injury Solutions Inc. (“AIS”) (collectively, “Defendants”) in response to the letter filed by Capricorn Management Systems, Inc. (“Capricorn”) last night, D.E. 89, requesting that a “prompt” trial date be set now. Defendants oppose the request as premature.

Despite sitting across the table from Defendants’ counsel at depositions for the past two days, Capricorn’s counsel never once raised the issue of setting a trial date before filing its letter, so the meet-and-confer requirement has plainly not been satisfied. On the merits, Defendants oppose the request as premature. As Capricorn acknowledges, the parties have not yet completed fact discovery and have not yet begun expert discovery. Defendants also intend to file dispositive motions.

Defendants ask the Court to decline Capricorn’s premature invitation to set a trial date now and instead address the issue in the ordinary course at the pre-trial conference. Should the Court have any questions, or if counsel can be of any other assistance, please do not hesitate to contact us.

Respectfully submitted,

/s/ Charles D. Ossola

Charles D. Ossola, Esq.

cc: All Counsel of Record (via ECF)